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## **Toughest limits on mercury left out, activists say**

By BART JANSEN, Portland Press Herald Writer

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WASHINGTON — The U.S. Environmental Protection Agency is not even considering the strictest possible curbs on mercury pollution as it finishes drafting new pollution regulations, according to environmental advocates. The EPA began a 30-day comment period Wednesday on various studies it has received while taking comments on the proposed regulations. The rules are scheduled to be completed by March 15.

The EPA is considering strategies for reducing mercury pollution, which can cause brain damage in fetuses, for example, when women eat tainted fish.

Two options would reduce mercury from coal-burning power plants by 30 percent by 2008, or 70 percent by 2018.

But environmental advocates say that scientific studies suggest the pollution could be reduced 90 percent by 2008 if every plant uses the best possible equipment.

"The Bush administration should not ignore science to allow the biggest mercury polluters off the hook," said Matthew Davis, a spokesman for the advocacy group Environment Maine Research and Policy Center.

A spokeswoman for the EPA said the 90 percent goal is unrealistic because the estimates rely on technology that is still being tested and not in widespread use.

In a September interview with the Portland Press Herald/Maine Sunday Telegram, EPA Administrator Mike Leavitt called a 90 percent reduction "fiction" and said his agency would develop "very aggressive" rules.

"We don't think a 90 percent reduction by 2008 is possible unless you shut down power plants," EPA spokeswoman Cynthia Bergman said Wednesday. "We are hoping to generate a more thoughtful discussion on the state of mercury control technologies and what's realistic and what's available today."

Mercury largely blows into Maine from coal-burning power plants in the Midwest, then falls into rivers and lakes in rain and snow.

Mercury, a neurotoxin, can cause retardation, seizures, cerebral palsy, blindness and deafness in babies if their mothers have eaten too much tainted fish.

Every freshwater river and lake in Maine carries an advisory to limit fish consumption, and 43 other states have advisories.

Nationally, 17 percent of women of childbearing age have dangerous levels of mercury in their blood, according to a new EPA study. That means some 630,000 babies are at risk each year of developing learning disabilities and coordination problems.

Congress is expected to debate revisions to the Clean Air Act next year, with a goal of changing regulations for nitrogen oxide, sulfur dioxide and mercury.

In the meantime, EPA proposed a rule on Jan. 30 to reduce mercury emissions from power plants for the first time. The EPA offered two alternatives to reduce the current 48 tons of mercury emissions each year.

One option would require power plants to install what is called the "maximum achievable control technology," which could reduce pollution by 14 tons per year by 2008.

Another approach would create a "cap and trade" program under which power plants with lower emissions could sell credits to

facilities that pollute more. The proposed cap would be 15 tons of mercury emissions nationwide by 2018.

Leavitt has said his goals in drafting the regulations are to protect children and pregnant women from illness while stimulating new technology to reduce pollution and considering how the changes affect the economy.

U.S. Rep. Tom Allen, D-Maine, a member of the Energy and Commerce Committee, argued that Leavitt reneged on a pledge that the EPA would do its own scientific analysis rather than rely on industry memos.

The advocacy group Public Citizen found that President Bush's re-election campaign received \$6.5 million from utilities and energy companies.

"Is there no end to the influence that polluters have purchased with their campaign donations?" Allen asked.

Environmentalists complain that the EPA is ignoring its own scientists who say the rules could reduce pollution more and faster. The scientists found it "feasible" to reduce mercury emissions 90 percent by 2008.

"They seem to be saying they're not even willing to look at it any more, which we think is unfair and outrageous," Davis said.

But Bergman said the EPA must consider how widespread the technology will be and how many plants will use it.

"We have to develop a regulation that will work for every power plant, not just a handful," she said.

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